

EXHIBIT 106

SECOND AMENDED AND RESTATED ORDER BY THE COUNTY JUDGE OF FORT BEND COUNTY

WHEREAS, on March 12, 2020, a Declaration of Local Disaster for Public Health Emergency was issued to allow Fort Bend County to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Fort Bend County residents and such Declaration was extended by Order of Commissioners Court on March 17, 2020; and

Whereas, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

Whereas, on March 17, 2020, due to the substantial risks to the public, by Order of the County Judge of Fort Bend County, certain establishments were ordered closed to implement the "All of Community" approach, as recommended by the Centers for Disease Control and Prevention ("CDC"), focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

Whereas, clarification and restatement of the extraordinary measures that must be taken to protect the public is necessary.

NOW THEREFORE, I, COUNTY JUDGE OF FORT BEND COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

SECTION 1. That the findings and recitations set out in the preamble to this Order are found to be true and correct and they are hereby adopted by the County Judge and made a part hereof for all purposes.

SECTION 2. This Order shall be read to comply with Executive Order No. GA-08 signed on March 19, 2020 at 11:59 a.m. by Texas Governor Greg Abbott, which: regulates gatherings of groups of 10 or more people; closes gyms and licensed massage businesses; prohibits visitation to nursing homes or retirement or long-term care facilities unless to provide critical assistance; and temporarily closes schools.

SECTION 3. Effective as of 12:01 a.m., March 21, 2020, and continuing through 11:59 p.m. on April 3, 2020, unless a declaration of the local disaster for public health emergency is no longer in effect:

(a) Restaurants and other establishments that serve food, with or without drive-in or drive-through services are prohibited from serving food for consumption on the premises and may only serve food and/or alcohol by take out, delivery, or drive-through services as allowed by law.

(b) All bars, nightclubs, lounges, taverns, adult entertainment establishments, arcades and private clubs that serve alcohol for consumption on the premises and do not serve food shall close. Those establishments that serve alcohol for consumption on the premises and food may remain open solely for the purpose of serving food in accordance with section (a) above.

(c) Gyms, fitness centers, and other facilities that are used or intended to be used for any type of training, martial arts, or sport shall close.

(d) Hair and nail salons, spas, massage and tattoo parlors, movie theaters, game rooms, and bingo halls shall close.

(e) Access to Fort Bend County offices and facilities shall be limited as to the public for essential functions only, i.e., (court obligations and/or required payments). Please contact the appropriate department or court for authorization to appear – <https://www.fortbendcountytexas.gov/government/departments/county-administration/human-resources/employees/directory>.

(f) In accordance with current CDC guidelines, persons shall not congregate in numbers conducive to community spread of the COVID-19 virus. Notwithstanding other provisions of this Order, peace officers, as defined by Article 2.12 of the Texas Code of Criminal Procedure, are authorized to enforce this provision to ensure compliance with current CDC guidelines.

(g) Any person who knows they have tested positive for or has been diagnosed with COVID-19 shall abide by any order or instruction provided to them by an authorized medical professional or a local health authority to quarantine themselves.

(h) This Order does not apply to:

(i) Restaurants and other establishments that serve food located in hospitals, long-term medical care facilities, rehabilitation or medical facilities, child care facilities, group homes, crisis and homeless shelters, assisted living facilities, retirement communities, congregate care facilities, long term care facilities, jails and detention facilities, and

(ii) Grocery stores, gas stations, pharmacies, and banks. However, these establishments are encouraged to comply with the necessary precautions to reduce the transmission of COVID-19, including the practice of Social Distancing and other measures in accordance with current CDC guidelines.

SECTION 4: Pursuant to Annex U, Section V. (A) (4) (a) of the Fort Bend County Emergency Operations Plan approved by Commissioners Court on January 15, 2019, and in accordance with Texas Government Code §418.173, the Fort Bend County Sheriff's Office, the Fort Bend County Fire Marshal's Office, and other peace officers, as defined by Article 2.12 of the Texas Code of Criminal Procedure, are hereby authorized to enforce this order, and the failure to comply with this Order is an offense punishable by a fine of up to \$1,000 or confinement in jail for a term of up to 180 days.

SECTION 5: Fort Bend County will post this Order on its website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a

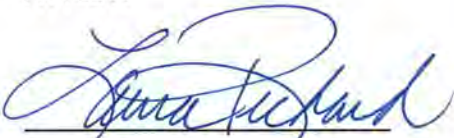
decision of a court of competent jurisdiction, then such decision will not affect the validity of this Order.

SECTION 6: This Order applies to all unincorporated and incorporated areas within the boundaries of Fort Bend County.

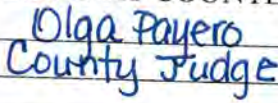
ORDERED this the 20th day of March, 2020.


KP George, County Judge

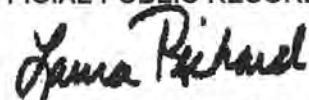
ATTEST:


Laura Richard, County Clerk

RETURNED AT COUNTER TO:


County Judge

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Laura Richard, County Clerk

Fort Bend County Texas

March 20, 2020 04:51:37 PM

FEE: \$0.00

RMM

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